

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:19-CV-00128-GCM**

CHRISTOPHER D. ELLERBE,

Plaintiff,

v.

**JOHN A HERRING,
KEVIN INGRAM,
FNU RUE,
KEITH LAMBERT,
FNU SELLERS,
FNU PRESTON,**

Defendants.

**WRIT OF HABEAS
CORPUS AD
TESTIFICANDUM**

TO: U.S. Marshal, Western District of North Carolina, Charlotte, North Carolina.

TO: Warden, Alexander Correctional Institution, Taylorsville, North Carolina.

IT IS ORDERED that the Warden of the Alexander Correctional Institution have the body of **Christopher D. Ellerbe**, offender number **1068847**, now incarcerated at the Alexander Correctional Institution, under safe and secure conduct before the undersigned United States Senior District Judge Graham C. Mullen, in and for the United States District Court for the Western District of North Carolina, at the courtroom in the city of Charlotte, North Carolina, on or before **May 9, 2022, at 10:00 a.m.**, to be present for the trial in this matter. Mr. Ellerbe's trial is scheduled to begin at **10:00 a.m. on Monday, May 9, 2022**, in the Charles R. Jonas Federal Building, 401 West Trade Street, Charlotte, North Carolina 28202.

Because Mr. Ellerbe is not in federal custody for these proceedings, the United States Marshals Service shall not be responsible for accompanying Mr. Ellerbe while he is in the

courthouse. The Warden of the Alexander Correctional Institution shall be responsible for having sufficient state law enforcement officers to be present at all times, and shall be responsible for maintaining custody of, and ensuring safe and secure conduct by, Mr. Ellerbe for the duration of the trial in this matter. **The Warden of the Alexander Correctional Institution shall ensure that Mr. Ellerbe is present for each and every day of trial until the trial is completed.**

IT IS, THEREFORE, ORDERED that the Warden at the Alexander Correctional Institution must transport Plaintiff Christopher D. Ellerbe, so that he is present for trial to begin on **Monday, May 9, 2022 at 10:00 a.m.**, and then return him to the Alexander Correctional Institution at the conclusion of trial.

IT IS FURTHER ORDERED that the Clerk's Office is respectfully directed to send a copy of this Order to all parties; the U.S. Marshal; the Warden of the Alexander Correctional Institution, 633 Old Landfill Road, Taylorsville, NC 28681; and Joyce Meadows, NCDPS Administrative Specialist for Writs, joyce.meadows@ncdps.gov.

SO ORDERED.

Signed: February 18, 2022

A handwritten signature in black ink, appearing to read "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

